

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JUAN IGARTUA, on behalf of himself and all others
similarly situated,

Plaintiff,
-against-

CANNABIS REALM OF NEW YORK, LLC,

Defendants.

Case No.: 1:24-cv-6944 (LJL)

**DECLARATION OF ARJETA
ALBANI, ESQ., IN SUPPORT OF
THE APPLICATION TO
CLERK FOR CERTIFICATE OF
DEFAULT PURSUANT TO
LOCAL CIVIL RULE 55.1**

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Arjeta Albani, Esq., being duly sworn, hereby deposes and states under penalty of perjury,
pursuant to 28 U.S.C. §1746, as follows:

1. I am the attorney of record for Plaintiff, Juan Igartua (“Plaintiff”). As such, I am familiar with the facts and circumstances of the above-captioned matter. I submit this declaration pursuant to Local Civil Rule 55.1 and Fed. R. Civ. P. 55(a) in support of Plaintiff’s Application for a Certificate of Default (the “Application”) against Defendant, Cannabis Realm of New York, LLC, (“Cannabis Realm”)

2. In this Application, Plaintiff asks the Clerk to enter default against Defendant, Cannabis Realm of New York, LLC.

3. This action was commenced by filing of the Complaint on September 13, 2024 and issuance of the Summons on September 16, 2024. See ECF No. 1 & 4.

4. Defendant is not an infant or incompetent person and is not in the military service within the purview of the Soldier’s and Sailor’s Civil Relief Act of 1940 as amended.

5. On September 25, 2024, Plaintiff served Defendant, Cannabis Realm of New York, LLC, via Peak Process Servers. According to the Declarant, Jeremiah Charles (“Process Server”) service was effectuated by “delivering two true copies of the Summons in a Civil Action, Class Action

Complaint and Demand for Jury Trial at: 05:21 PM AT 600 WEST 204TH STREET, Apt. 21, NEW YORK, NY 10034," See ECF No. 7.

6. The time for Defendant to serve an answer or file a motion has since expired, as Defendant Cannabis Realm was required to respond on or before **October 16, 2024.** See ECF No. 7.

7. Since Defendant has failed to Answer or otherwise defend the above-captioned action, they are clearly in default. As such Plaintiff requests the issuance of the CLERK'S CERTIFICATE OF DEFAULT..

WHEREFORE, Plaintiff respectfully request that the Clerk of this Court grant Plaintiff's application for a Certificate of Default.

Dated: New York, New York
February 4, 2025

JOSEPH & NORINSBERG, LLC



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